

REMARKS

Claims 1-14 are pending. By this Amendment, claims 1, 8, and 12 are amended. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

The Office Action rejected claims 1-7 and 12-13 under 35 U.S.C. §103(a) as being unpatentable over Collings, U.S. Patent No. 5,828,402, in view of U.S. Patent No. 6,694,090 to Lewis et al. (hereinafter "Lewis") and Fig. 1 and the corresponding disclosure of the present application. The rejection is respectfully traversed.

Collings discloses a method and apparatus for selectively blocking the reception of audio and video signals in response to information which is encoded in the signals. See col. 1, lines 14-16 of Collings. Referring to Fig. 1 of Collings, information about video programming is carried in a video signal 24 broadcast by a broadcaster 26. See col. 2, line 66 – col. 3, line 2. An apparatus 20 provided between the broadcaster 26 and a viewer's television monitor 22 retrieves and decodes the embedded information. If the decoded information matches user preferences

stored in a memory of the apparatus 20, the apparatus 20 blocks the video component of the video signal 24 from being displayed on the viewer's television monitor 22. See col. 3, lines 5-11 of Collings.

The embedded information regarding a program may include category information, which identified a level assigned to the program, in each of one or more categories. An example of such a category includes program "rating" information, such as G, PG, Adult, R, or X-rated. See col. 5, lines 28-34-col. 6, lines 27-44 of Collins. However, this information describing programming is provided by the broadcaster 26 and does not change.

Viewer preference information, on the other hand, is set by a viewer and stored in apparatus 20. See col. 3, lines 14-16 of Collings. When apparatus 20 detects one or more embedded codes in video signal 24 that represent information which indicates that the video signal 24 should be blocked, then apparatus 20 turns off switching means 36 and 38, which prevent reception of the incoming audio and video signals. See col. 3, lines 63-65 of Collings.

Thus, Collings at least does not disclose or suggest reconstructing a multi-level digest stream information describing the multimedia stream as a user-adapted multi-level digest stream information, including changing an importance level of certain segments of the multi-level digest stream according to the user preference information using both the searched user preference information having the user preference/non-preference levels and a content-based data of the multimedia stream, as recited in independent claim 1, or the claimed combination of independent claim 1. The embedded information in video signal 24 is not reconstructed according to user preference information but rather is set by the broadcaster 26. Further, the

apparatus 20 merely blocks the video signal 24, or portions thereof based on user preferences stored in the apparatus 20. Such signal blocking does not constitute reconstructing a multi-level digest stream information describing the multimedia stream as a user-adapted multi-level digest stream information, including changing an importance level of certain segments of the multi-level digest stream according to the user preference information using both the searched user preference information, as is recited in independent claim 1.

Also, Lewis fails to overcome the deficiencies of Collings. Merely changing the rating preferences stored in the apparatus 20, as the Examiner alleges is taught by Lewis, still fails to disclose or suggest reconstructing a multi-level digest stream information describing the multimedia stream as a user-adapted multi-level digest stream information, including changing an importance level of certain segments of the multi-level digest stream according to the user preference information using both the searched user preference information having the user preference/non-preference levels and a content-based data of the multimedia stream, as is recited in independent claim 1.

Additionally, there would have been no motivation to modify the proposed combination of Collings and Lewis in view of Fig. 1 and the corresponding disclosure of the present application as proposed by the Examiner. As set forth above, the embedded information in video signal 24 is not reconstructed according to user preference information but rather is set by the broadcaster 26, and the video signal 24 is blocked based on the user preferences stored in apparatus 20.

For similar reasons, the proposed combination of Collings, Lewis, and Fig. 1 and the corresponding disclosure of the present application also fails to disclose or suggest all of the features of independent claim 12, in particular generating a multi-level digest stream information describing the multimedia stream based on the preference/non-preference levels and the content-based data of the multimedia stream, wherein importance levels of the multi-level digest stream information are changed based on the set preference/non-preference levels, as recited in independent claim 12.

Accordingly, the rejection of independent claims 1 and 12 over the combination of Collings, Lewis, and Figure 1 and the corresponding disclosure of the present application should be withdrawn. Dependent claims 2-7 and 13 are allowable at least for the reasons discussed above with respect to independent claims 1 and 12, from which they respectfully depend, as well as for their added features.

The Office Action rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Collings in view of Fig. 1 and the corresponding disclosure of the present application and Lewis and further in view of Ellis et al. (hereinafter "Ellis"), U.S. Patent Publication No. 2003/0020744A1. The rejection is respectfully traversed.

Dependent claim 14 is allowable over the combination of Collings, Lewis, and Fig. 1 and the corresponding disclosure of the present application at least for the reasons discussed above with respect to independent claim 12, from which it depends, as well as for its added features. Ellis fails to overcome the deficiencies of the combination of Collings, Lewis, and Fig. 1 and the corresponding disclosure of the present application, as it is merely cited as allegedly teaching

learning preference from a pattern of accessing multimedia of the user. Accordingly, the rejection of claim 14 over the combination of Collings, Lewis, Fig. 1 and the corresponding disclosure of the present application, and Ellis should be withdrawn.

The Office Action rejected claims 8-11 under 35 U.S.C. §103(a) as being unpatentable over Collings in view of Ellis and Lewis. The rejection is respectfully traversed.

Collings at least fails to disclose or suggest readjusting and changing importance levels of information describing digest segments for a requested multi-level digest stream according to the read user preference information, as recited in independent claim 8. The embedded information in video signal 24 is not readjusted or changed according to user preference information but rather is set by the broadcaster 26. Further, the apparatus 20 merely blocks the video signal 24, or portions thereof based on user preferences stored in the apparatus 20. Such signal blocking does not constitute readjusting and changing importance levels of information describing digest segments for a requested multi-level digest stream according to the read user preference information, as recited in independent claim 8. Additionally, Collings fails to disclose or suggest the combination of independent claim 8.

Further, the Examiner admits that Collings fails to disclose or suggest discriminating a user's digest stream request, as recited in independent claim 8. However, the Examiner argues that Ellis teaches "discriminating a user request and reading the user preference information based on the user request." The Examiner then concludes that "[i]t would have been obvious to one of ordinary skill in the art to modify Collings with Ellis by providing discriminating a user request in order to prevent [] error in reading the user preference information." However, as

set forth above, the apparatus 20 taught by Collings merely blocks a video signal 24, or portions thereof broadcast by a broadcaster 26 based on user preferences stored in the apparatus 20. Thus, there would have been no motivation to modify Collings to discriminate a user request, nor is there any suggestion for such a modification in either Collings or Ellis.

Furthermore, Lewis fails to overcome the deficiencies of Collings and Ellis. That is, merely changing the rating preferences stored in the apparatus 20, as the Examiner alleges is taught by Lewis, still fails to disclose or suggest readjusting and changing importance levels of information describing digest segments for a requested multi-level digest stream according to the read user preference information, as recited in independent claim 8.

Accordingly, the rejection of independent claim 8 over the combination of Collings, Ellis, and Lewis should be withdrawn. Dependent claims 9-11 are allowable at least for the reasons discussed above with respect to independent claim 8, from which they respectfully depend, as well as for their added features.

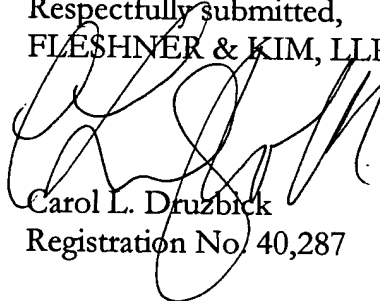
In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carol L. Druzbeck, at the telephone number listed below.

Serial No. 09/692,316
Reply to Office Action dated August 12, 2005

Docket No. P-0140

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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